IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 6996 of 1997

Between:

1 K.K.Satyanarayana, S/o. Ramaswamy.
R/o. 45-34-91, Akayyapalem, Visakhapatnam Dist.
2 A.Rajyalakshmi, W/o. Late Subramanyam.
R/o. Plot.No. 53, Sector-2, M.V.P.Colony, Visakhapatnam. Dist.
3 D.K.A.Satyanarayana, S/o. Appalanaidu.
R/o. Srinivasanagar, Visakhapatnam. Dist.
4 M.Trinadha Rao, S/o. Chidambaram,
R/o. Itchapuram, Srikakulam. Dist.
5 T.Babu Rao, S/o. Venkatsubbayya.
R/o. Kasibugga, Srikakulam. Dist.
6 P.Gurraju, S/o. Atchutaramaraju,
R/o. Ramaraju Enclave, Near Midhilapuri Colony,
Madhuravada, Visakhapatnam. Dist.
7 D.Padma, D/o. D.Seetharamaraju.
R/o. Marripalem, Visakhapatnam. Dist.

..... PETITIONERS

AND

1 The District Collector, Visakhapatnam.
Visakhapatnam Dist
2 The Special Officer- Cum- Competent Authority, Urban Land

Ceilings, Visakhapatnam District.
3 The Mandal Revenue Officer, Visakhapatnam
Visakhapatnam District.
4 The Commissioner of Police, Visakhapatnam.
Visakhapatnam District.

5 The Station House Officer, 4th Town, Police Station,
Law and Order, Visakhapatnam.
Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction one preferably in the nature of Writ of Mandamus declaring the action of the Respondents 4 and 5 herein in making constructions in S.No. 43 part of Dondaparthi Village, Visakhapatnam, as arbitrary, illegal, without jurisdiction and violative of Articles 14, 21 and 300-A of the Constitution of India.

Counsel for the Petitioner:MR.A.V.SESHA SAI

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following :

ORDER:

The petitioners filed the present Writ Petition praying for issuance of a writ, order or direction preferably in the nature of writ of mandamus declaring the action of respondents 4 and 5 in making constructions in S.No.43, Part of Dondaparthi village, Visakhapatnam, Visakhapatnam District as arbitrary, illegal, without jurisdiction and violative of Articles 14, 21 and 300-A of the Constitution of India and to pass such other suitable orders.

A counter affidavit had been filed wherein specific stand was taken that the Police personnel have no intention to raise any structure upon the land and the petitioners have no threat or harassment from 4th and 5th respondents and their men.

In the light of the specific stand taken in the counter affidavit, no further orders need to be passed in the present Writ Petition. The stand taken in the counter affidavit filed by the respondents is hereby recorded and the Writ Petition is accordingly closed. No order as to costs.

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P.S. Narayana., J

Date : 3-2-2005

AM

To:

1 The District Collector, Visakhapatnam.
Visakhapatnam District.
2 The Special Officer- Cum- Competent Authority, Urban Land

Ceilings, Visakhapatnam District.
3 The Mandal Revenue Officer, Visakhapatnam
Visakhapatnam District.
4 The Commissioner of Police, Visakhapatnam.
Visakhapatnam District.
5 The Station House Officer, 4th Town, Police Station,
Law and Order, Visakhapatnam.
Visakhapatnam District.

6. 2 C.Cs. to Government Pleader for Revenue,

High Court of Andhra Pradesh,

High Court Buildings,

Hyderabad (0UT)

7. 2 C.Cs. to Government Pleader for Home,

High court of Andhra Pradesh,

High Court Buildings,

Hyderabad. (OUT)

7. 2 C.D. copies